IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH JAIPUR.

O R D E R

Rajesh
Vs.
State and ors.

S.B. CIVIL WRIT PETITION (PAROLE)
NO.2450/2007.

Date of Order:- 22/5/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri L.S. Tomar for the petitioner.
Shri B.S. Chhaba, Dy.Govt.Advocate.

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Heard learned counsel for the parties.

Learned counsel for the petitioner submits that request of the petitioner for release on parole has been declined by the District Parole Advisory Committee on the report of the Superintendent of Police and Probation Social Welfare Officer. It was submitted that there was no ground for giving adverse report and that the petitioner is entitled to be released on parole as per Rule 9 of the Rajasthan Prisoners Release on Parole Rules, 1958.

Learned Deputy Government Advocate while opposing the writ petition argued that the District Parole Advisory Committee in its discretion may refuse to release a convict on parole if there are reports adverse to the release of such convict. He however submits that case of the petitioner for grant of first parole has again been sent for re-consideration by the Jail Superintendent to the District Collector Jhunjhunu on 24/2/2007 which is pending consideration.

In view of the submission made by the learned Deputy Government Advocate, it is therefore directed that the fresh report shall be obtained with regard to the release of the petitioner on parole and on that basis the matter shall again be placed before the District Parole Advisory Committee and final order with regard thereto shall be passed within two months from the date of submission of certified copy of this order to the District Parole Advisory Committee.

With these observations, the writ petition is disposed of.

anil **(MOHAMMAD RAFIQ), J.**